

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                       |   |                       |
|-----------------------|---|-----------------------|
| KEILEE FANT, et al.,  | ) |                       |
|                       | ) |                       |
| Plaintiffs,           | ) |                       |
|                       | ) |                       |
| vs.                   | ) | No. 4:15-CV-00253-AGF |
|                       | ) |                       |
| THE CITY OF FERGUSON, | ) |                       |
|                       | ) |                       |
| Defendant.            | ) |                       |

**MEMORANDUM AND ORDER**

This matter is before the Court on Defendant City of Ferguson’s motion (ECF No. 154) for a further stay of proceedings pending a ruling on its corrected motion to dismiss for lack of subject matter jurisdiction based on sovereign immunity (ECF No. 150). Plaintiffs oppose the motion.

Upon careful consideration of the arguments and legal authority presented by the parties, and recognizing “the importance of resolving immunity questions at the earliest possible stage in litigation,” *Pearson v. Callahan*, 555 U.S. 223, 232 (2009), the Court will grant Defendant’s motion. The Court will adopt the agreed briefing schedule for the motion to dismiss that is set forth in the parties’ most recent joint proposed scheduling plan (ECF No. 158). But if Plaintiffs desire a more expedited briefing schedule, they may request one.

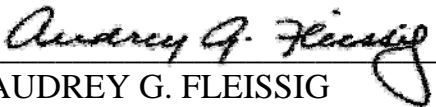
Accordingly,

**IT IS HEREBY ORDERED** that Defendant’s motion for a further stay of proceedings is **GRANTED**. ECF No. 154. Except as set forth below, the stay

previously entered in this case shall remain in effect until the Court rules on Defendant's Corrected Motion to Dismiss (ECF No. 150).

**IT IS FURTHER ORDERED** that Plaintiffs' response to Defendant's Corrected Motion to Dismiss (ECF No. 150) shall be due no later than **December 20, 2017**, and any reply shall be due no later than **January 8, 2018**.

**IT IS FURTHER ORDERED** that, within **seven days** after the Court rules on Defendant's Corrected Motion to Dismiss, the parties shall submit a joint proposed scheduling plan for the remainder of this litigation, which addresses the briefing schedule for Plaintiffs' motion for class certification (ECF No. 112); the parties' positions concerning the referral of this action to mediation and when such a referral would be most productive; and any other outstanding deadlines in the current Case Management Order.

  
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AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 22nd day of November, 2017.